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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,253	12/21/2001	Thomas N. Turba	RA5407 (33012/325/101)	2115
27516	7590	01/12/2005	EXAMINER	
UNISYS CORPORATION			ABEL JALIL, NEVEEN	
MS 4773			ART UNIT	
PO BOX 64942			PAPER NUMBER	
ST. PAUL, MN 55164-0942			2165	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/028,253

Applicant(s)

TURBA ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on July 26, 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Remarks

1. The Request for Reconsideration filed on July 26, 2004 has been received and entered. Claims 21-25 have been added. Therefore, claims 1-25 are now pending.

2. Amendment to the title and specification has been received and acknowledged.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

*1-25*

4. Claims ~~1-20~~ are rejected under 35 U.S.C. 102(e) as being anticipated by Ims et al. (U.S. Pub. No. 2002/0091533 A1).

As to claim 1, Ims et al. discloses an a data processing system including a legacy data base management system having a command language coupled to a publically accessible digital data communication network, the improvement comprising:

a. a user terminal coupled to said legacy data base management system via said publically accessible digital data communication network (See page 11, paragraph 0097, also see page 7, paragraph 0070, also see page 4, paragraphs 0051-0054);

b. a service request generated by said user terminal transferred to said legacy data base management system for honoring (See page 7, paragraph 0072, also see page 4, paragraphs 0051-0054 ); and

c. a facility responsively coupled to said legacy data base management system which inserts a call to native script into said service request (See page 4, paragraphs 0051-0054, also see pages 10-11, paragraphs 0095-0096).

As to claim 2, Ims et al. discloses wherein said native script further comprises said command language (See page 6, paragraphs 0065-0066, also see pages 10-11, paragraphs 0095-0097).

As to claim 3, Ims et al. discloses wherein said service request further comprises an XML message (See page 7, paragraph 0070, also see pages 10-11, paragraphs 0096-0097).

As to claims 4, 8, and 13, Ims et al. comprising storing said native script in a repository located within said legacy data base management system (See page 4, paragraphs 0051-0054, also see pages 10-11, paragraphs 0095-0096).

As to claims 5, 10, 15, and 19, Ims et al. discloses wherein said publically accessible digital data communication network further comprises the Internet (See page 5, paragraph 0059).

As to claim 6, Ims et al. discloses an apparatus comprising:

- a. a publically accessible digital data communication network (See page 4, paragraphs 0052-0054);
- b. a database management system having an internal format different from XML responsively coupled to said publically accessible digital data communication network (See );
- c. an XML message transferred to said data base management system via said publically accessible digital data communication network (See page 11, paragraph 0097, also see page 7, paragraph 0070);
- d. a converter which translates said XML message into said internal format (See page 6, paragraphs 0065-0066, also see pages 10-11, paragraphs 0095-0097); and
- e. a module which embeds native script into a service responding to said XML message translated into said internal format (See pages 10-11, paragraphs 0096-0097, also see page 7, paragraph 0070).

As to claims 7, and 14, Ims et al. discloses wherein said native script further comprises said internal format (See pages 10-11, paragraphs 0096-0097).

As to claim 9, Ims et al. discloses comprising a response produced by said legacy data base management system (See page 4, paragraphs 0052-0054).

As to claim 11, Ims et al. discloses a method of supplying an input to a legacy data base management system having an internal format comprising:

- a. transferring an XML document to said legacy data base management system via a publically accessible digital data communication network (See page 11, paragraph 0097, also see page 7, paragraph 0070);
- b. converting said XML document into said internal format (See pages 10-11, paragraphs 0096-0097);
- c. embedding native script into a service responding to said converted XML document (See page 6, paragraph 0066, wherein “embedding” reads on “integrating”, also see page 8, paragraphs 0073-0076); and
- d. presenting said converted XML document to said legacy data base management system (See pages 10-11, paragraphs 0096-0097).

As to claim 12, Ims et al. discloses wherein said converting step includes use of a Document Type Definition corresponding to said XML document (See page 9, paragraph 0086).

As to claim 16, Ims et al. discloses an apparatus comprising:

- a. transmitting means for transmitting an XML document via a publically accessible digital data communication network (See page 10, paragraphs 0090-0091, also see page 7, paragraph 0070);

b. providing means responsively coupled to said transmitting means for providing legacy data base management having an internal format (See page 6, paragraph 0065, also see pages 7-8, paragraph 0072, also see page 12, paragraph 0102);

c. converting means responsively coupled to said providing means for converting said XML document into said internal format (See pages 10-11, paragraphs 0096-0097); and

d. embedding means responsively coupled to the component builder for embedding a call to native script into a service for said legacy data base management system (See page 5, paragraphs 0059-0060).

As to claim 17, Ims et al. discloses wherein said providing means further comprises a repository means (See page 12, paragraph 102, also see page 7, paragraph 0070).

As to claim 18, Ims et al. discloses further comprising defining means for defining a format of said native service (See pages 10-11, paragraph 0096).

As to claim 20, Ims et al. discloses wherein said storing means stores said defining means for future use (See page 8, paragraphs 0074-0077).

As to claim 21, Ims et al. discloses an apparatus for communicating within a data processing environment comprising:

a. a user terminal whereby a user can make a data processing service request by transferring an XML message and receive a corresponding data processing response (See page 6, paragraphs 0065-0067);

b. a converter which converts said XML message into said data processing service request in a native command language (See pages 10-11, paragraphs 0096-0097); and

c. a legacy database management system responsively coupled to said user terminal which executes said native command language wherein said service request is honored by execution of an ordered sequence of statements of said native command language (See page 8, paragraphs 0074-0075, also see page 5, paragraphs 0059-0060).

As to claim 22, Ims et al. discloses wherein said legacy database management system further comprises a mainframe computer (See page 4, paragraphs 0051-0054).

As to claim 23, Ims et al. discloses wherein said user terminal further comprises an industry standard personal computer (See page 4, paragraph 0050).

As to claim 24, Ims et al. discloses wherein said legacy database management system further comprises a repository for storage of said ordered sequence of statements of said native command language prior to execution (See pages 10-11, paragraphs 0095-0097).



As to claim 25, Ims et al. discloses wherein said corresponding data processing response further comprises an XML message (See page 7, paragraph 0070, also see pages 10-11, paragraphs 0096-0097).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Meltzer et al. (U.S. Patent. No. 6,226,675 B1) teaches automated translation from XML to traditional object oriented or relational databases.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil  
January 7, 2005



**SAM RIMELL**  
PRIMARY EXAMINER